

INSTRUCTION NO. ____

If you find in favor of the plaintiff, you must award her an amount of money that will fairly compensate her for any damages you find she sustained and is reasonably certain to sustain in the future as a direct result of the violation of the plaintiff's constitutional rights. You should consider the following elements of damages:

1. The physical pain and emotional suffering the plaintiff has experienced and is reasonably certain to experience in the future; the nature and extent of the injury, whether the injury is temporary or permanent and whether any resulting disability is partial or total and any aggravation of a pre-existing condition;

2. The reasonable value of the medical, hospital, nursing and similar care and supplies reasonably needed by and actually provided to the plaintiff and reasonably certain to be needed and provided in the future;

Remember, throughout your deliberations you must not engage in speculation, guess, or conjecture, and you must not award any damages under this Instruction by way of punishment or through sympathy.

Eighth Circuit Model Civil Jury Instruction 4.70
Actual – Prisoner Civil Rights
Submitted by Plaintiff